IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.210 OF 2006

IN

SUMMARY SUIT NO.966 OF 2006

Chhaya C. Ghone. ...Plaintiff.

vs.

Shri.Kailash D. Borhade. ...Defendant.

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Mr.S.A.Sawant, for Plaintiff.

Ms.Yagini Gada i/b. M/s.Harakchand & Co. for Defendant.

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**CORAM: D.K.DESHMUKH, J.**

**DATED: 19th SEPTEMBER,2006.**

**P.C.**:-

1. The suit is based on a promissory note. The defendant is denying his signature on the promissory note. Admittedly, the plaintiff has not placed anything on record which would indicate that the signature on the promissory note is of the defendant. It is obvious, therefore, that in the summary jurisdiction a decree cannot be passed

in favour of the plaintiff. The summons for judgment is disposed of. The defendant is granted unconditional leave to defend the suit. Written statement to be filed within a period of six weeks from today.

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